

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA**

**vs.**

**STEVEN KITCHELL**

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**CRIMINAL ACTION  
NO. 16-122-1  
CIVIL ACTION  
17-986**

**ORDER**

**AND NOW**, this 9th day of July, 2020, it is hereby **ORDERED** that:

1. The government's motion to dismiss Defendant's motion under 28 U.S.C. § 2255 to vacate, set aside or correct sentence [Doc. 28] is **DENIED**.
2. The Defendant's motion under 28 U.S.C. § 2255 to vacate, set aside or correct sentence [Doc. 21] is **DENIED**.
3. There are no grounds for a certificate of appealability.

**BY THE COURT:**

**/s/ Jeffrey L. Schmehl**  
**Jeffrey L. Schmehl, J.**